

# Supplement to Fuel Cycle Program Integrated Schedule

## Last Updated March 27, 2019

This supplement provides a public version of the purpose, brief overview, and background documentation available for the regulatory activities being tracked on the Fuel Cycle Cumulative Effects of Regulation Integrated Schedule. Links to the background documents have been included where possible.

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## RULEMAKINGS

<b>Part 61 “Proposed Rule: Low-Level Radioactive Waste Disposal”</b>	
Key Contact:	Gary Comfort, 301-415-8106.
Purpose:	Rulemaking for a site-specific analysis or performance assessment for the disposal of depleted uranium and other long-lived isotopes in a near-surface disposal facility.
Key Information	<ul style="list-style-type: none"> <li>Proposed rule (80 FR 16082) and related guidance (80 FR 15930) were published in the <i>Federal Register</i> for public comment on March 26, 2015. The comment period originally ended on July 24, 2015. It was reopened (80 FR 51964) on August 27, 2015 and closed on September 21, 2015.</li> <li>The final rule package was submitted to the Commission on September 15, 2016.</li> <li>The Commission issued an SRM on September 8, 2017, directing the staff to issue a supplemental rule for comment.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li><a href="http://www.regulations.gov/#!docketDetail;D=NRC-2011-0012">http://www.regulations.gov/#!docketDetail;D=NRC-2011-0012</a>.</li> <li><a href="http://www.nrc.gov/about-nrc/regulatory/rulemaking/potential-rulemaking/potential-part61-revision.html">http://www.nrc.gov/about-nrc/regulatory/rulemaking/potential-rulemaking/potential-part61-revision.html</a>.</li> <li><a href="http://www.nrc.gov/about-nrc/regulatory/rulemaking/potential-rulemaking/uw-streams.html">http://www.nrc.gov/about-nrc/regulatory/rulemaking/potential-rulemaking/uw-streams.html</a>.</li> <li>Technical basis for proposed rule dated April 28, 2011 (<a href="#">ML111040419</a>).</li> <li>Preliminary proposed rule language dated May 2011 (<a href="#">ML111150205</a>).</li> <li>COMWDM-11-0002/COMGA-11-0002 - Revision to 10 CFR Part 61 dated November 3, 2011 (<a href="#">ML113070543</a>).</li> <li>SRM-COMWDM-11-0002/COMGEA-11-0002 - Revision to 10 CFR Part 61 dated January 19, 2012 (<a href="#">ML120190360</a>).</li> <li>Draft 10 CFR Part 61 proposed rule package (SECY-13-0075) dated July 18, 2013 (<a href="#">ML13128A160</a>).</li> <li>Staff requirements memorandum – SECY-13-0075 – proposed rule: Low-Level Radioactive Waste Disposal (10 CFR Part 61) (RIN 3150-A192) dated February 12, 2014 (<a href="#">ML14043A371</a>).</li> <li>Draft 10 CFR Part 61 final rule package (SECY-16-0106) dated September 15, 2016 (<a href="#">ML16188A290</a>).</li> <li>SRM to SECY-16-0106 (<a href="#">ML17251B147</a>) dated September 8, 2017.</li> <li>Transcript of Low-level Radioactive Waste Program Public Meeting (<a href="#">ML18088B087</a>) and presentation (<a href="#">ML18088B012</a>) dated March 23, 2018.</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>June 2019 – 90-day comment period on supplemental proposed rule begins.</li> <li>July 2019 – Public meeting to support comment period on the supplemental proposed rulemaking.</li> </ul> <p>(Note: These dates are tentative. Additional public meetings will be conducted, as needed).</p>

<b>Part 73 “Part 73-Enhanced Security for SNM”</b>	
Key Contact:	Edward Lohr, 301-415-0253 and Nick Baker, 301-415-7119.
Purpose:	Codify the post 9/11 security orders within <i>Title 10 of the Code of Federal Regulations</i> (10 CFR) Part 73 that govern the security for special nuclear material at fixed sites.
Key Information	<ul style="list-style-type: none"> <li>• Make generically applicable security requirements similar to those imposed by security orders issued following the terrorist attacks of September 11, 2001.</li> <li>• Improve consistency and clarity.</li> <li>• Use a risk-informed and performance-based structure.</li> <li>• In April 2016, the Commission directed the NRC staff to suspend efforts on the Enhanced Security of SNM rulemaking. Later, the Commission directed staff to interact with DOE in order to share and discuss perspectives and ideas on the material attractiveness approach in the Enhanced Security of SNM Rulemaking. In August 2018, the Commission directed the staff to resume rulemaking with the exclusive scope of codifying the post 9/11 security orders.</li> <li>• The NRC published the draft regulatory basis on March 1, 2019. Public comments on the draft close on April 19, 2019.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• "Security-Related Rulemaking to Update 10 CFR Parts 73 and 26" <a href="http://www.nrc.gov/security/domestic/phys-protect/reg-initiatives/10cfr73.html">http://www.nrc.gov/security/domestic/phys-protect/reg-initiatives/10cfr73.html</a>.</li> <li>• SRM-SECY-09-0123 – "Material Categorization and Future Fuel Cycle Facility Security-Related Rulemaking," dated July 8, 2010 (<a href="#">ML101890711</a>).</li> <li>• SRM-COMSECY-05-0058 – "Schedule and Resources for Security Rulemakings," dated November 16, 2005.</li> <li>• Part 73: Final Regulatory Basis (<a href="#">ML14321A007</a>). The notice was published on April 22, 2015.</li> <li>• Scope reduced to codifying post-9/11 security orders. See SRM-COMKLS-18-003.</li> <li>• Drafted Revised Regulatory Basis was published in the <i>Federal Register</i> (84 FR 6980) on March 1, 2019 for public comment.</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• None scheduled.</li> </ul>

<b>Enhanced Weapons, Firearms Background Checks, and Security Event Notifications Rulemaking</b>	
Key Contact:	Robert Beall, 301-415-3874 and Nick Baker, 301-415-7119.
Purpose:	This rulemaking will: (1) implement NRC's authority under the new section 161A of the Atomic Energy Act of 1954 (AEA), as amended, for access to enhanced weapons and associated firearms background checks; (2) modify physical security event notifications; add requirements for reporting suspicious activities at power reactor facilities, at-reactor Independent Spent Fuel Storage Installations, and Category I strategic special nuclear materials facilities.
Key Information	<ul style="list-style-type: none"> <li>• These proposed regulations are consistent with the provisions of the Firearms Guidelines the NRC published under section 161A with the approval of the U.S. Attorney General on June 25, 2014 (79 FR 36100).</li> <li>• The final rule was sent to the Commission in May 2018.</li> <li>• The staff anticipates submitting supplemental Commission paper to the Commission in Spring 2019.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• Proposed rule in the Federal Register (71 FR 62664), to implement the Firearms Guidelines as part of the larger proposed power reactor security rule.</li> <li>• SRM-SECY-10-0085, "Proposed Rule: Enhanced Weapons, Firearms Background Checks and Security Event Notifications (RIN: 3150-AI49)," dated October 19, 2010 (<a href="#">ML102920342</a>).</li> <li>• The NRC published the proposed enhanced weapons rule in the Federal Register (76 FR 6200) for public comment on February 3, 2011.</li> <li>• The NRC published the first supplemental proposed rule (78 FR 2214) to add at reactor independent spent fuel storage installation facilities as a class of designated facilities under Title 10 of the Code of Federal Regulations (10 CFR) 73.18(c), that would be eligible to apply for Section 161A authority.</li> <li>• SRM SECY-12-0125, dated November 21, 2012 (ML12326A653), the Commission directed the NRC staff to revise the Firearms Guidelines accordingly and to publish a supplemental proposed enhanced weapons rule for public comment.</li> <li>• On June 25, 2014, the NRC published the revised Firearms Guidelines in the Federal Register (79 FR 36100).</li> <li>• On September 22, 2015, the NRC published a second supplemental proposed rule (80 FR 57106), to conform the rulemaking with the 2014 Firearms Guidelines, which is in accordance with the Commission's direction in SRM-SECY-12-0125.</li> <li>• On May 22, 2018, the draft final rule, Federal Register Notice, Environmental Assessment, and a history of the rulemaking were sent to the Commission [ML16264A000]</li> <li>• On August 22, 2018, NEI (Bill Pitesa) provided thoughts on the rulemaking.</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• None scheduled</li> </ul>

<b>Part 73 “Cyber Security”</b>	
Key Contact:	Gary Comfort, 301-415-8106 and James Downs, 301-415-7744
Purpose:	The Commission directed the U.S. Nuclear Regulatory Commission (NRC) staff to proceed with a proposed rulemaking to implement cyber security into Part 73 for certain fuel cycle facilities. The Commission directed the rulemaking to be a high priority, expedited rulemaking that uses a graded, consequence based regulatory approach and is informed by industry’s voluntary efforts.
Key Information	<ul style="list-style-type: none"> <li>• The NRC staff published SECY-14-0147, “Cyber Security For Fuel Cycle Facilities,” in December 2014, which proposed three options to implement cyber security. These options included orders, rulemaking, or continuation of voluntary initiatives.</li> <li>• The Commission provided SRM-SECY-14-0147, “Staff Requirements – SECY-14-0147 – Cyber Security for Fuel Cycle Facilities” in March 2015, which directed the NRC staff to proceed with rulemaking.</li> <li>• The NRC published the Regulatory Basis and Comment Resolution document for the cyber security proposed rulemaking on March 3, 2016 (<a href="#">ML15355A461</a>).</li> <li>• The NRC staff provided draft proposed rule language (<a href="#">ML16131A115</a>) for discussion at a public meeting on May 19, 2016.</li> <li>• The NRC staff provided Revised Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (<a href="#">ML16221A078</a>) for discussion at a public meeting on August 25, 2016.</li> <li>• The NRC developed updated versions of the Revised Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (<a href="#">ML16273A130</a>) to address stakeholder comments. These updates were made publically available to support a presentation to the Advisory Committee on Reactor Safeguards (ACRS) sub-committee on November 2, 2016.</li> <li>• An update to the Draft Regulatory Guide (<a href="#">ML17031A018</a>) was made publicly available to support a presentation to the ACRS sub-committee on February 23, 2017.</li> <li>• The draft proposed rule package due date to the Commission was extended to September 30, 2017. This is to accommodate the Committee to Review Generic Requirements (CRGR) review.</li> <li>• The staff briefed the full ACRS committee on June 8, 2017 on the draft proposed rule package (<a href="#">ML17145A325</a>).</li> <li>• The Cyber Security Rulemaking Working Group briefed the Committee to Review Generic Requirements (CRGR) on June 27 and July 12, 2017. The CRGR endorsed the Proposed Rule and Draft Regulatory Guide with comments via letter dated August 2, 2017 (<a href="#">ML17200A101</a>).</li> <li>• The proposed rule package was provided to the Office of the Executive Director for Operations (OEDO) on September 7, 2017.</li> <li>• The proposed rule package was submitted to the Commission on October 4, 2017, as SECY-17-0099 (<a href="#">ML17018A218</a>). The proposed rule package consists of the Commission paper, Federal Register notice (FRN), Draft Regulatory Analysis, Draft Backfit Analysis, and Draft Environmental Assessment.</li> <li>• The staff is awaiting Commission direction.</li> </ul>

<p>Related Documents</p>	<ul style="list-style-type: none"> <li>• June 2012 – SECY-12-0088, “Cyber Security Roadmap” (<a href="#">ML12135A050</a>).</li> <li>• December 2014 – SECY-14-0147, “Cyber Security for Fuel Cycle Facilities” (Non-public).</li> <li>• March 2015 – SRM-SECY-14-0147, “Staff Requirements – SECY-14-0147 – Cyber Security for Fuel Cycle Facilities” (<a href="#">ML15083A175</a>).</li> <li>• Commissioner Baran's Vote on SECY-14-0147 – Cyber Security for Fuel Cycle Facilities (<a href="#">ML15118A921</a>).</li> <li>• Commissioner Ostendorff's Vote on SECY-14-0147 – Cyber Security for Fuel Cycle Facilities (<a href="#">ML15132A632</a>).</li> <li>• August 27, 2015 – “Draft Regulatory Basis - Cyber Security at Fuel Cycle Facilities” (<a href="#">ML15198A019</a>).</li> <li>• September 4, 2015 – “<i>Federal Register</i> Notice for Draft Regulatory Basis for Cyber Security at Fuel Cycle Facilities [Package]” (<a href="#">ML15198A024</a>).</li> <li>• “Documents to Support December 10, 2015, Public Meeting on Cyber Security for Fuel Cycle Facilities [Package]” (<a href="#">ML15344A296</a>).</li> <li>• February 18, 2016, “Summary of Public Meeting to Discuss Fuel Cycle Cyber Security Proposed Rule Concepts” (<a href="#">ML16054A160</a>).</li> <li>• March 17, 2016, “Public Meeting Summary Regarding [Concepts for the] Proposed Cyber Security Rulemaking at Fuel Cycle Facilities” (<a href="#">ML16092A124</a>).</li> <li>• Draft proposed rule text to support the May 19, 2016, public meeting (<a href="#">ML16131A115</a>).</li> <li>• Revised Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (<a href="#">ML16221A078</a>) to support the August 25, 2016 Public Meeting.</li> <li>• Updated Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (<a href="#">ML16273A130</a>) to support the November 2, 2016, (ACRS) sub-committee briefing.</li> <li>• Updated Draft Regulatory Guide (<a href="#">ML17031A018</a>) to support February 23, 2017, ACRS sub-committee briefing.</li> <li>• The NRC staff prepared a draft regulatory guide, “Cyber Security Programs for Nuclear Fuel Cycle Facilities,” (DG-5062) (<a href="#">ML17145A340</a>).</li> <li>• SECY-17-0099, submitted October 4, 2017, contains the Commission paper, Federal Register notice (FRN), Draft Regulatory Analysis, Draft Backfit Analysis, and Draft Environmental Assessment (<a href="#">ML17018A218</a>).</li> </ul>
<p>Meeting Information</p>	<ul style="list-style-type: none"> <li>• May 2019 – 90-day comment period on proposed rulemaking begins.</li> <li>• June 2019 – Public meetings to support comment period on the proposed rulemaking.</li> </ul> <p>(Note: These dates are tentative. Additional public meetings will be conducted, as needed).</p>

<b>Part 74 “Material Control &amp; Accounting of Special Nuclear Material”</b>	
Key Contact:	Thomas Young, 301-415-5795 and Tom Pham, 301-415-7254
Purpose:	This rulemaking revises and consolidates the material control and accounting (MC&A) requirements in order to update, clarify and strengthen them.
Key Information	<ul style="list-style-type: none"> <li>On October 15, 2018, Draft Final Rule: Amendments to Material Control and Accounting Regulations (RIN 3150-AI61; NRC-2009-0096) was sent to the Commission and designated as SECY-18-0104.</li> <li>The implementation period of 24 months was recommended to accommodate licensees that may choose to prepare revisions to their MC&amp;A plans that would be submitted to the NRC for review and approval prior to implementation of the final rule.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>SECY-18-0104: Final Rule: Amendments to Material Control and Accounting Regulations (RIN 3150-AI61; NRC-2009-0096) <a href="#">ML18032A499</a></li> <li>Regulations.gov Material Control and Accounting of Special Nuclear Material <a href="#">Docket ID: NRC-2009-0096</a></li> <li>Regulations.gov Draft Guidance on Acceptable Format and Content for Fuel Cycle Facility Material Control and Accounting Plans (<a href="#">Docket ID NRC-2013-0195</a>).</li> <li>OIG Report 03-A-15 dated February 6, 2013 (<a href="#">ML13037A476</a>).</li> <li>SECY-08-0059 dated April 2008 (<a href="#">ML080580273</a>).</li> <li>SRM-SECY-08-0059 dated February 2009 (<a href="#">ML090360473</a>).</li> <li>SECY-11-0175 dated December 2011 (<a href="#">ML113400134</a>).</li> <li>SRM-SECY-11-0175 dated April 12, 2012 (<a href="#">ML121030104</a>).</li> <li>COMSECY-12-0026 dated November 2012 (<a href="#">ML12311A436</a>).</li> <li>SRM-COMSEC-12-0026 dated May 2013 (<a href="#">ML13130A077</a>).</li> <li><a href="#">SECY-16-0009</a> – Enclosure 2 dated February 1, 2016 (<a href="#">ML16028A433</a>).</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>None scheduled.</li> </ul>

## NON-RULEMAKINGS

<b>ANS 57.11 “ISA Standard”</b>	
Key Contact:	April Smith, 301-415-6547.
Purpose:	American Nuclear Society (ANS) is developing an integrated safety assessment (ISA) standard that would provide clear guidelines for licensees to perform an ISA and improve the ability to identify those elements which serve as leading indicators of ISA quality.
Key Information	<ul style="list-style-type: none"> <li>On November 14, 2018, the Working Group Chair presented the status of the draft standard to the Nonreactor Nuclear Facilities Committee (NNFC) of ANS.</li> <li>The NNFC tasked the working group with submitting the latest draft of the standard to the NNFC with the goal of holding a first round vote by Spring 2019.</li> <li>On March 16, 2019, the Working Group Chair submitted the latest draft to the working group for review and comment, after making revisions as requested per ANS formatting requirements.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li><a href="http://www2.ans.org/standards/committees/nfsc/calendar/files/ans-57-11pins(2)-fornfscapproval.doc">www2.ans.org (search ANS 57.11)</a> (<a href="http://www2.ans.org/standards/committees/nfsc/calendar/files/ans-57-11pins(2)-fornfscapproval.doc">http://www2.ans.org/standards/committees/nfsc/calendar/files/ans-57-11pins(2)-fornfscapproval.doc</a>).</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>ANS Consensus Committee meeting is scheduled for June 10, 2019. The standard may come to the committee at this time for first review.</li> </ul>



<b>Financial Assurance for Material Licensees (ISG)</b>	
Key Contact:	Kenneth Kline, 301-415-7075.
Purpose:	Provide guidance regarding inventory and efficiencies in preparing decommissioning funding plans for 10 CFR Part 70 licensees.
Key Information	<ul style="list-style-type: none"> <li>• By letter dated June 27, 2016 (ML16229A175), NEI expressed concern with Part 70 reviews of DCEs primarily concerning NRC's inventory RAIs.</li> <li>• NRC held a public meeting (ML16295A049) with NEI and industry to discuss these issues.</li> <li>• By letter dated January 25, 2017 (ML16307A014), NRC formally responded to the NEI letter. This letter also outlines a number of acceptable ways to meet the regulation.</li> <li>• The draft ISG was issued for public comment on August 1, 2018 (83 FR 37529).</li> <li>• Comments on the draft ISG were submitted by October 5, 2018.</li> <li>• The final ISG is scheduled to be completed by April 2019.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• NUREG-1757, Vol. 3, Rev. 1: "Consolidated Decommissioning Guidance: Financial Assurance, Recordkeeping, and Timeliness," (<a href="#">ML12048A683</a>).</li> <li>• RG 4.22, "Decommissioning Planning During Operations," (<a href="#">ML12158A361</a>).</li> </ul>
Public Interaction	<ul style="list-style-type: none"> <li>• None scheduled.</li> </ul>

## **Final RIS – Clarification of Export Reporting Requirements for Nuclear Facilities, Equipment, and Non-Nuclear Materials**

Key Contact:	Hector Rodriguez, 301-415-6004
Purpose:	The purpose of the draft RIS is to clarify reporting requirements for exports of nuclear materials, equipment, and nonnuclear materials under 10 CFR Part 110, “Export and Import of Nuclear Equipment and Material,” specifically the requirements under 10 CFR 110.54(a)(1).
Key Information	<ul style="list-style-type: none"> <li>On June 8, 2018, the NRC published the draft RIS for public comment in the Federal Register (83 FR 26611). The comment period closed on August 7, 2018.</li> <li>One comment letter was received.</li> <li>The final RIS was issued March 15, 2019 (<a href="#">ML18269A254</a>).</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>None.</li> </ul>
Public Interaction	<ul style="list-style-type: none"> <li>None scheduled.</li> </ul>

<b>Regulatory Information Conference</b>	
Key Contact:	Mollie Semmes, 301-415-7486.
Purpose:	The Regulatory Information Conference (RIC) is a forum that promotes open dialogue to learn valuable information about NRC activities related to the regulation of nuclear power plants, other nuclear facilities, and nuclear safety research. In addition, the RIC offers an environment to interact with nuclear industry leaders and share ideas, perspectives, and experiences on matters related to nuclear safety and regulation.
Key Information	<ul style="list-style-type: none"> <li>• FCSE hosted five sessions during March 2019 RIC. The sessions' descriptions can be found at the link below.</li> <li>• The RIC is held annually.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• Link to the NRC public website on the RIC: <a href="https://www.nrc.gov/public-involve/conference-symposia/ric/">https://www.nrc.gov/public-involve/conference-symposia/ric/</a>.</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• The next RIC will be held in March 2020.</li> </ul>